

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

JENNIFER KILGORE, and SHIRLEY HOWARD
INDIVIDUALLY AND ON BEHALF OF ALL
OTHERS SIMILARLY SITUATED

PLAINTIFFS

VERSUS

CIVIL ACTION NO.: 1:25-cv-55-LG-RPM

THE CITY OF MOSS POINT, MAYOR BILLY KNIGHT
AND THE CITY ALDERMEN, EACH IN THEIR OFFICIAL
AND ELECTED CAPACITY AND THE MOSS POINT
CHIEF OF POLICE, IN HIS OFFICIAL CAPACITY,
INTELLISAFE, LLC, JOHN DOES 1-10, AND
ACME COMPANIES 1-10

DEFENDANTS

RESPONSE TO MOTION TO DISMISS

COME NOW Plaintiffs Jennifer Kilgore and Shirley Howard,
Individually, and on behalf of all others similarly situated, and
file this their Response to Defendant's Motion to Dismiss and
respectfully show unto the Court as follows:

I.

The Plaintiffs' Complaint filed in this cause is sufficient
to establish Article III standing to pursue a class action
against the named Defendants including those affiliated with the
City of Moss Point, Mississippi. The Complaint filed also
adequately states the constitutional claims included therein, a
claim for punitive damages, and allegations of fraud with
requisite particularity.

II.

The Plaintiffs submit that no dismissal of the Complaint or claims for relief stated therein is appropriate in the premises. The Plaintiffs will file their Memorandum in Opposition to the Defendants Motion to Dismiss on or before April 3, 2025.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs Jennifer Kilgore and Shirley Howard respectfully request that the Court deny the Defendants' Motion to Dismiss as to all particulars.

THIS THE _29th_ day of March, 2025.

Respectfully submitted

Jennifer Kilgore and Shirley Howard

Class representatives

___S/DCFUTCH_____

BY: David C. Futch

Attorney for Plaintiffs

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